

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYMOND EDWARD STEELE,

Petitioner, No. CIV S-03-0143 GEB KJM

vs. DEATH PENALTY CASE

ROBERT L. AYERS, Jr.,  
Warden of San Quentin  
State Prison,

**Respondent.** **ORDER**

Respondent seeks an extension of time to file his reply brief on the procedural default and Teague issues. Petitioner does not oppose the request and, in response to a query from the court, agrees it would be best to combine the argument on the procedural default and Teague issues with petitioner's motion to strike. Good cause appearing, IT IS HEREBY ORDERED as follows:

1. Respondent's November 12, 2008 request for an extension of time is granted.

Respondent's reply to petitioner's Opposition to Respondent's Brief Regarding Procedural Defaults and Teague v. Lane shall be filed by December 15, 2008.

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2. The hearing on petitioner's September 23, 2008 motion to strike currently scheduled for December 3, 2008 is continued to January 7, 2009 at 1:30 p.m. in courtroom # 26. At that time the court will also hear argument on the procedural default and Teague issues.

DATED: November 20, 2008.

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U.S. MAGISTRATE JUDGE

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